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*Secretary for
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California Regional Water Quality Control Board

North Coast Region

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Gray Davis
Governor

INSTRUCTIONS FOR COMPLETING THE NOTICE OF INTENT FOR THE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND BY WINERY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS

(ORDER NO. R1-2002-12)

If you have any questions on the completion of any part of the application, please contact your Regional Water Board representative. Staff will work with you to fill gaps in information. With the exception of very old facilities, necessary information may be available from engineering reports used to obtain use permits or other county records. County health departments maintain records of all permitted systems including system sizing and design. Those may usually be copied for a small fee. Staff encourages the use of any existing information or reports that are available. If additional information is to be supplied, please attach additional sheets. Please list any attachments with the titles and dates on the spaces provided.

1. FACILITY OWNER INFORMATION

You must provide the factual information listed below for ALL persons or entities who hold legal interests associated with the facility or real property on which it is located. These may include, but are not limited to, owners, leaseholders, lessees, and operators. Persons or entities may include corporations, partnerships, individuals, etc.

Check the appropriate Owner type. The legal owner will be named in the WDRs, and will receive legal notices and invoices at this address.

2. FACILITY SITE AND CONTACT INFORMATION:

You will need to provide facility name, physical address including the county, person to contact, and phone number. (Please do not use P.O. Box numbers. If no address exists, use street name and the nearest cross street.)

3. LOCATION OF FACILITY

Enter the Assessor's Parcel Number(s) (APN), which is located on the property tax bill. The number can also be obtained from the County Assessor's Office. Indicate the APN for both the facility and the discharge point (vineyards that are irrigated or frost protected.)

If possible, enter the Latitude and Longitude of the entrance to the proposed/existing facility. Latitude and longitude information can be obtained from a U.S. Geological Survey quadrangle topographic map. Other

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maps may also contain this information. Closest surface water should indicate which watershed the facility is located in.

This application MUST be accompanied by a site map(s) of sufficient scale to show the features required in sections 3, 7 and 8 of this application.

4. REASON FOR FILING

If the Regional Water Board has issued individual Waste Discharge Requirements (WDRs) for the facility, please provide the number that ends with the first three letters of the county (SON for Sonoma, MEN for Mendocino, etc.) found at the top of the first page of the Order. If the Regional Water Board has issued a waiver of WDRs, please state the date of the letter and provide a copy. If you received a written request to submit an applications, please note the date of the letter.

5. PERMITS ACQUIRED

Generally, many wineries are required to obtain a "Storm Water Discharges Associated With Industrial Activities" permit (Industrial Stormwater Permit.) If there is an Industrial Stormwater Permit for this facility, please provide the number. If you have received a "No Exposure Certification" or "Notice of Termination" from the State Water Resources Control Board, please provide a copy. If you are unsure, contact the Regional Water Board for assistance.

Usually construction and operation of the facility involves permits or entitlements from a local agency, such as a City or County. These permits or entitlements may include discretionary or ministerial permits such as, conditional use permits, grading permits, and building permits. Documents and information should be available from the issuing agency, in most cases the County planning department.

Check YES or NO. For each permit or entitlement, identify the issuing agency, the date of issuance, and provide a copy of associated documentation.

6. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Before any permit or entitlement is issued, compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq) (CEQA) is required. For instance, operation of a winery requires most likely requires a county Use Permit that meets CEQA requirements. The agency issuing the permit or entitlement is required to either determine that the permit or entitlement is exempt from CEQA or must prepare an environmental document (an Environmental Impact Report, Mitigated Negative Declaration, or Negative Declaration) before the permit or entitlement can be issued. The agency may also rely on an environmental document previously prepared by another agency. Documents and information should be available from the agency that issued the permit or entitlement, in most cases your County planning department.

Check YES or NO. Has an agency made a CEQA determination for the facility? If YES, give the name, date, and type of determination (This could be a Notice of Exemption or Notice of Determination.) Enclose a copy of the Notice of Exemption or Notice of Determination and the Environmental Impact Report, Mitigated Negative Declaration, or Negative Declaration. If NO, fill in the expected type and date of

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completion. For the date of completion, list the date that the Notice of Exemption or Notice of Determination will be completed. (If not known, write "Unknown")

7. TREATMENT PROCESS

Check the method to be used, and supply additional information. Surface treatment systems that combine domestic and process wastewater are not eligible for coverage under the General WDRs, and will most likely require individual WDRs. Units of size can be acre-feet, gallons, etc.

8. PROCESS

Provide as much information as you can. If you are projecting future capacity, please note.

9. TYPES OF DISCHARGE

If domestic and process wastewater are combined in a surface treatment system and used for irrigation, such a system is ineligible for this permit and the owner will need to apply for an individual permit. If you discharge domestic wastewater to a septic tank/leachfield system, check the box.

10. CHARACTERIZATION OF DISCHARGE

Older wineries that predate CEQA and more complete local use permitting may not have readily available information. In those cases, Board staff will work with you to determine what constitutes a characterization of your discharge. It is the intent of the Regional Board that the generation of information for the application should be commensurate with the size of the facility and its potential to cause water quality problems. In many cases information you produce from your day-to-day operational experience and records will suffice. Reports by the designer of the system will, in many cases, provide sufficient information to evaluate your system. Board staff will work with you to evaluate your situation.

A "water balance" is one critical aspect of the operation of any winery. It is used to determine if facilities have sufficient capacity to dispose of wastewater throughout the year without a discharge to surface waters. Coverage under the General WDRs is predicated on all wastewater being treated and disposed on land under the control of the winery without discharges to surface waters. Therefore, it is important that you understand the sources and volumes of wastewater generated in your winery and that the treatment and disposal facilities are properly sized.

In the case of a small winery using only a septic tank and/or leach field, the water balance may simply consist of an indication of the volume of water used seasonally during each process and a showing that those volumes are within the design sizing of the system.

In the case of a larger winery with pond treatment and storage followed by percolation and/or irrigation the water balance will be more complex. When treatment and storage ponds are used the water balance consists of a seasonal analysis of inputs and outputs to and from the ponds. Inputs generally include waste water and rainfall volumes. Outputs generally include evaporation, percolation and irrigation volumes.

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The use of a spreadsheet to evaluate the system is necessary. An example spreadsheet will take into account inputs and outputs to determine if the storage pond volume is adequate for expected conditions.

11. GROUNDWATER PROTECTION

This section applies to those facilities that utilize wastewater ponds. In order to ensure that wastewater ponds are not impacting ground water quality, there needs to be positive separation between the pond and groundwater. The applicant will need to provide sufficient evidence that such separation exists. This could be a water balance that shows no losses that could be attributed to leakage, engineering plans showing an impermeable barrier, water well levels that demonstrate significant depth to groundwater, a percolation test, or monitoring well analysis that shows no impact of wastewater on ground water. Other methods may be acceptable as well. Please contact Regional Water Board staff if additional guidance is needed.

12. PUBLIC NOTICE

Attached to the NOI is the public notice form. This is required to be filled out and 1) published in a general circulation newspaper *for one day* and 2) posted in a visible location at the site. A "newspaper of general circulation" is a newspaper that is:

1. issued at least once a week (daily newspapers are included in this description);
2. intended for general distribution and circulation; and
3. sold at fixed prices to subscribers and readers without regard to business, trade, profession or class.

Basically, any daily or weekly newspaper that is sold to the public in general is a "newspaper of general circulation." The public notice at the site can be posted on a fencepost, gate, or some other visible location. It needs to remain there for thirty days.

13. ADDITIONAL INFORMATION

Regional Water Board staff will notify you if your application is incomplete and will request that you submit additional specific information. Existing information including engineering design reports, septic system design (obtained from the files of the health department) and irrigation design reports should be copied and submitted wherever possible.

14. CERTIFICATION

Certification by the owner of the facility (or the operator of the facility if the operator is different from the owner) is required. The appropriate person must sign the application form. Acceptable signatures are:

1. for a corporation, a principal executive officer of at least the level of senior vice-president;
2. for a partnership or individual (sole proprietorship), a general partner or the proprietor;
3. for a governmental or public agency, either a principal executive officer or ranking elected/appointed official.

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(dated March 24, 2003)

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